

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**JERRY WILLIAMS,**

**Civil No. 06-864 (JNE/SRN)**

**Petitioner,**

**v.**

**ORDER**

**R.L. MORRISON, Warden,  
Duluth Federal Prison Camp**

**Respondent.**

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated April 4, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

**IT IS HEREBY ORDERED that:**

1. Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **GRANTED, IN PART, only** as to habeas corpus relief. The Court further recommends that Respondent be directed to reconsider the date when Petitioner should be assigned to community confinement in light of the criteria set forth in 18 U.S.C. § 3621(b) and without regard to 28 C.F.R. §§ 570.20 and 570.21; and
2. Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED, IN PART**, as it relates to declaratory judgment and collateral estoppel.

Dated: April 25, 2006.

s/ Joan N. Ericksen  
Judge Joan N. Ericksen  
United States District Court Judge